

United States Court of Appeals  
for the Fifth Circuit

FILED

NOV 16 2020

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY                      DEPUTY CLERK

\_\_\_\_\_  
No. 20-50440  
\_\_\_\_\_

ETTA FANNING,

*Plaintiff—Appellant,*

*versus*

CITY OF SHAVANO PARK, TEXAS,

*Defendant—Appellee.*

\_\_\_\_\_  
Appeal from the United States District Court  
for the Western District of Texas  
USDC No. 5:18-CV-803-YR  
\_\_\_\_\_

Before DENNIS, SOUTHWICK, and ENGELHARDT, *Circuit Judges*.  
PER CURIAM:

IT IS ORDERED that the appellant's motion for the judgment to be vacated in full and the case remanded for reconsideration in the district court is CARRIED WITH THE CASE.

IT IS FURTHER ORDERED that the appellant's alternative motion for the judgment to be vacated as to any claims for prospective relief, and her claims for declaratory and injunctive relief be remanded for consideration by the district court is CARRIED WITH THE CASE.

No. 20-50440

**IT IS FURTHER ORDERED** that the appellant's alternative motion for the remainder of her appeal pending in this court be stayed until resolution of remanded proceedings in the district court is **DENIED**.

**IT IS FURTHER ORDERED** that the appellant's alternative motion for the appellant's brief deadline to be extended to ten days after the Court resolves this motion is **GRANTED**.